

Remarks

Currently pending claims 10-29 are for consideration by the Examiner. Claims 18, 22, 24, and 28 are amended herein.

The Examiner stated that claims 10-17 are allowed. The Examiner also stated that "claims 20, 21, 26 and 27 ... would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims". Applicants gratefully acknowledge the Examiner's indication of allowable subject matter.

The Examiner rejected claims 18, 19, 22-25, 28 and 29 under 35 U.S.C. 102(c) as being anticipated by Maeda et al (6,072,759).

Applicant respectfully traverses the 35 U.S.C. §102(e) rejection with the following arguments.

35 U.S.C. §102(e)

The Examiner rejected claims 18, 19, 22-25, 28 and 29 under 35 U.S.C. 102(e) as being anticipated by Maeda et al (6,072,759).

Applicants respectfully contend that Maeda does not anticipate claim 18, because Maeda does not teach each and every feature of claim 18. For example if the amended claim 18 is entered, Maeda does not teach "forming a file-based access mechanism on the unitary storage medium, wherin the file-based access mechanism includes a Table-of-Contents (TOC) mechanism for storing and accessing the audio information". Alternatively if the amended claim 18 is not entered, Maeda does not teach "forming a file-based access mechanism on the unitary storage medium, wherin the file-based access mechanism includes a directory-based Table-of-

Contents (TOC) for storing and accessing the audio information".

The Examiner alleges that Maeda discloses "forming a file based access mechanism on the unitary storage medium ( figure 3A and 3B show file-based data structure of audio and video data and figure 4 shows ROOT directory. See also column 6, lines 27-45....)". Applicant contends that although FIG. 4 in Maeda discloses a directory structure, the Examiner has not provided any evidence that the directory structure of FIG. 4 includes a TOC mechanism or a directory-based TOC. Indeed, Maeda excludes the directory structure of FIG. 4 from including a TOC mechanism or a directory-based TOC. Specifically, Maeda states that "[a]n ordinary DVD ha[s] the aforementioned DVD physical format, the volume space construction of FIG. 3 and the directory structure of FIG. 4." Maeda, col. 15, lines 41-43. Maeda further states that "**no TOC is provided in an ordinary DVD**" (emphasis added). Maeda, col. 15, lines 33-34. Accordingly, Applicant maintains that Maeda does not teach a file-based access mechanism that includes a TOC mechanism or directory-based TOC, as required by claim 18.

Based on the preceding arguments, Applicants respectfully maintain that Maeda does not anticipate claim 18, and that claim 18 is in condition for allowance. Since claims 19-23 depend from claim 18, Applicants contend that claims 19-23 are likewise in condition for allowance. "

Applicants respectfully contend that Maeda does not anticipate claim 24, because Maeda does not teach each and every feature of claim 24. For example if the amended claim 24 is entered, Maeda does not teach "said unitary medium comprising a file-based access mechanism that includes a Table-of-Contents (TOC) mechanism for storing and accessing the audio information". Alternatively if the amended claim 24 is not entered, Maeda does not teach "said

unitary medium comprising a file-based access mechanism that includes a directory-based Table-of-Contents (TOC) for storing and accessing the audio information". Based on the same arguments presented *supra* in conjunction with claim 18, Applicant contends that the Examiner has not provided any evidence to prove that the directory structure of FIG. 4 includes a TOC mechanism or a directory-based TOC. Accordingly, Applicant maintains that Maeda does not teach a file-based access mechanism that includes a TOC mechanism or directory-based TOC, as required by claim 24.

Based on the preceding arguments, Applicants respectfully maintain that Maeda does not anticipate claim 24, and that claim 24 is in condition for allowance. Since claims 25-29 depend from claim 24, Applicants contend that claims 25-29 are likewise in condition for allowance.

**Conclusion**

Accordingly, based on the preceding arguments, Applicant respectfully submits that claims 10-29, and the entire application, are in condition for allowance and therefore request favorable action. However, should the Examiner believe anything further is necessary in order to place the application in better condition for allowance, or if the Examiner believes that a telephone interview would be advantageous to resolve the issues presented, the Examiner is invited to contact the Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

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